

**17-25a-4 Rates recoverable -- Exception.**

- (1) The rates recoverable through court action for service of process by a constable are governed by Section 17-22-2.5, 17-25-3, or 17-25-5 when applicable.
- (2) Constable fees that exceed the amounts in Section 17-22-2.5 are recoverable in court:
  - (a) by the constable only if he has received prior approval for the increased fee from the party requesting the service; and
  - (b) by a prevailing party as a cost of the action only if the court finds the service and increased fee are justifiable.

Amended by Chapter 46, 2001 General Session